

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

BUCK EDWARD MARSHALL, JR.,)	
TDCJ #1161230,)	
Petitioner,)	
)	
v.)	Civil No. 7:10-CV-089-O-BL
)	
RICK THALER, Director,)	
Texas Department of Criminal Justice,)	
Correctional Institutions Division,)	
Respondent.)	

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After making an independent review of the pleadings, files and records in this case, and of the Report and Recommendation of the United States Magistrate Judge, I am of the opinion that the findings of fact, conclusions of law, and reasons for dismissal set forth in the Report and Recommendation of the Magistrate Judge are correct and they are hereby adopted and incorporated by reference as the Findings of the Court.¹

Accordingly, to the extent that Petitioner attacks his conviction, the petition is DISMISSED without prejudice as successive.

The Court further finds that, to the extent the petition attacks a non-existent conviction, the petition is DISMISSED with prejudice.

SO ORDERED this 30th day of July, 2012.


Reed O'Connor
UNITED STATES DISTRICT JUDGE

¹ Petitioner did not file objections to the Magistrate Judge's Report and Recommendation.